

## The Episode of the Old Bailey

When we reached Bow street we were relieved to find that our prisoner, after all, had not evaded us. It was a false alarm. He was there with the policeman, and he kindly allowed us to make the first formal charge against him.

Of course, on Charles' sworn declaration, he was not a prisoner, and was remanded, bail being refused, owing both to the serious nature of the charge and the slippery character of the prisoner's antecedents. We went back to Mayfair—Charles well satisfied that the man he dreaded was under lock and key; myself not too well pleased to think that the man I dreaded was no longer at large, and that the trifling little episode of the 10 per cent commission stood so near discovery.

Next day the police came round in force and had a long consultation with Charles and myself. They strongly urged that two other persons at least should be included in the charge—Cesarine and the little woman whom we met variously known as Mme. Picardet, "White Heather," Mrs. David Granton, and Mrs. Elvira Quackenboss. If these accomplices were arrested, they said, we could include conspiracy as one count in the indictment, which gave us an extra year's detention. Now they had got Colonel Clay, in fact, they naturally desired to keep him, and also to indict with him as many as possible of his pals and confederates.

Here, however, a difficulty arose. Charles called me aside with a grave face into the library.

"Seymour," he said, "fixing me, 'this is a serious business, and I will not lightly swear away any woman's character. Colonel Clay himself—or, rather, Paul Finglenore—is an abandoned rogue, whom I do not desire to involve in any degree. But poor little Mme. Picardet—she may be his lawful wife, and she may have acted implicitly under his orders. Besides, I don't know whether I could swear to his guilt. Here's the photograph the police bring of the woman they believe to be Colonel Clay's chief female accomplice. Now, I ask you, does it in the least degree resemble that fellow across my shoulder and charming little creature who has so often deceived us?"

In spite of Charles' gibes, I flatter myself I do really understand the whole duty of a secretary. I was clear from his voice he did not wish me to recognize her, which, as it happened, I did not.

"Certainly," it doesn't resemble her, Charles," I answered, with conviction in my voice. "I should never have known her." But I did not add that I should never have known Colonel Clay himself in his character as Paul Finglenore, or of Cesarine's young man, as that remark lay clearly outside my secretarial functions.

Nevertheless, I flitted across my mind at the time that the very same maid made casual remarks at Nice about a letter in Charles' pocket, prescriptively from Mme. Picardet, and I selected further that Mme. Picardet in turn might possibly hold certain answers of Charles, couched in such terms as he might reasonably desire to conceal from Amelia. Indeed, I must allow that, under whatever disguise "White Heather" appeared to us, Charles was always that disguise's devoted slave from the first moment he met it. It occurred to me, therefore, that the clever little woman—call her what you will—might be the holder of more than one indiscreet communication.

Under these circumstances, Charles went on, in his austere voice. "I cannot consent to be a party to the arrest of 'White Heather.' I—I decline to identify her. In point of fact—she grew more emphatic as he went on—"I don't think there is an atom of evidence of any sort against her. Not," he continued, after a pause, "that I wish, in any degree, to screen the guilty. Cesarine, now—Cesarine may have liked and trusted. She has betrayed our trust. She has sold us to this fellow. I have no doubt at all that she gave him the diamonds from Amelia's jewelry, that she took us by ambush to meet him at Schloss Lebenstein; that she opened and sent to him my letter to Lord Craig-Elachie. Therefore I say, we ought to arrest Cesarine. But not 'White Heather'—not Jessie; not that pretty Mrs. Quackenboss. Let the guilty suffer; strike at the innocent—or, at the worst, misguided."

"Charles," I exclaimed, with warmth, "your sentiments do you honor. You are a man of feeling. And 'White Heather,' I allow, is pretty enough and clever enough to be forgiven her. You may rely upon my discretion. I will swear through thick and thin that I do not recognize this woman as Mme. Picardet."

Charles clasped his hand in silence. "Seymour," he said, after a pause, with marked emotion, "I felt sure I could rely upon your—honor and integrity. I have been proud to trust you sometimes. But I ask your forgiveness. I see you understand the whole duties of your position."

We went out again, better friends than we had been for months. I hoped, indeed, this pleasant little episode might help to neutralize the possible ill effects of the 10 per cent disclosure, should Finglenore take it into his head to betray me to my employer. As we emerged into the drawing room, Amelia beckoned me aside toward her boudoir for a moment.

"Seymour," she said to me, in a distinctly frightened tone, "I have told you harshly at times, I know, and I am very sorry for it. But I want you to help me in a most painful difficulty. The police are quite right in their charge of conspiracy. I have designed little minx, 'White Heather,' or Mrs. David Granton, or whatever else we're to call her, ought certainly to be prosecuted—and sent to prison, too—and have her absurd head of hair cut short and combed straight for her. But—and you will help me here, I'm sure, dear Seymour—I cannot allow that I pretend to say Cesarine isn't guilty; the girl has behaved most ungratefully to me. She has robbed me right and left, deceived me without compunction. Still—I put it to you as a married man—can any woman afford to go into the witness box, to be cross-examined and teased by her own maid, or by a brute of a barrister on her maid's information? I assure you, Seymour, the thing's not to be dreamt of. There are details of a lady's life—known only to her maid—which cannot be made public. Explain as much of this as you think well to Charles, and make him understand that if he insists upon arresting Cesarine I shall go into the box—and swear my head off to prevent any one of the gang from being convicted. I have told Cesarine as much. I have promised to help her. I have explained that I am her friend and that if she'll stand by me I'll stand by her, and by this hateful young man of hers."

I saw in a moment how things went. Neither Charles nor Amelia could face cross-examination on the subject of one of Colonel Clay's auto-writes. No doubt in Amelia's case it was merely a question of rouge and hair dye; but what woman would not sooner confess to a forgery or a murder than to those toilet secrets?

I returned to Charles, therefore, and spent half an hour in composing, as well as I might, these little domestic difficulties. In the end it was arranged that if Charles did his best to protect Cesarine from arrest Amelia would consent to do her best in return on behalf of Mme. Picardet.

We had next the police to tackle—a more difficult business. Still, even they were reasonable. They had caught Colonel Clay, they believed, but their chance of convicting him depended entirely upon Charles' identification, with minor exceptions. The more they urged the necessity of arresting the female confederates, however, the more stoutly did Charles declare that for his part he could by no means make sure of Colonel Clay himself while he utterly declined to give evidence of any sort against either of the women. It was a difficult case, he said, and he felt far from confident even about the man. In his decision, therefore, and he failed to identify, the case was closed; no jury could convict with nothing to convict upon.

At last the police gave way. No other course was open to them. They had made an important capture, but they saw that everything depended upon securing their witnesses, and the witness interfered with, were likely to swear to absolutely nothing.

Indeed, as it turned out, before the preliminary investigation at Bow street was completed (with the usual result, Charles had been driven into such a state of agitation that he wished he had never caught the Colonel at all. "I wonder," he said to me, "why I didn't offer the rascal two thousand a year to go right off to Australia and rid of him for ever." It would have been cheaper for my reputation than keeping him about in courts of law in England. The worst of it was, when once the best of men gave in, there was no more to say with what shreds and tatters of a character he may at last come out of it."

"In your case, Charles," I answered dutifully, "there can be such doubt; except, perhaps, as regards the Craig-Elachie Consolidated."

Then came the endless bother of "getting up the case" with the police and the lawyers. Charles, I should have said, retired from it altogether but that time, but, most unfortunately, he was bound over to prosecute.

"You wouldn't take a lump sum to drop the case," he said jokingly, to the inspector. But I knew in my heart it was one of the "true words spoken in jest" that the proverb tells of. Of course, we could see now the whole bulging up of the great figure. It had been a knowledge of the Tichborne swindle. Young Finglenore, as the brother of Charles' broker, knew from the outset all about his affairs, and, as a knowledge of the Tichborne swindle, he laid his plans deep for a campaign against my brother-in-law. Everything had been deliberately designed beforehand. A place had been found for Cesarine as Amelia's maid, and she had been put to work on the Tichborne swindle. Through her aid the swindler had succeeded in learning still more of the family ways and habits and had acquired a knowledge of certain facts which he proceeded forthwith to use against us.

His first attack, as the seer, had been cleverly designed so as to give us the idea that we were a mere casual prey, and it did not escape Charles' notice now that the detail of getting Mme. Picardet to inquire at the Credit Marcellais about his bank had been so easily gone through on purpose to blind us to the obvious truth that Colonel Clay was already in full possession of all such facts about us. It was by Cesarine's aid, again, that he became possessed of Amelia's diamonds, that he received the letter addressed to Lord Craig-Elachie, and that he managed to dupe us over the Schloss Lebenstein business. Nevertheless, all these things Charles did not know. He knew only that he did not give the police a single fact that would turn against either Cesarine or Mme. Picardet.

As for Cesarine, of course, she left the house immediately after the arrest of the Colonel, and we heard of her no more till the day of the trial.

When that great day came I never saw a more striking sight than the Old Bailey presented. It was crammed to overflowing. Charles arrived early, accompanied by his solicitor. He was so white and troubled that he looked much more like a prisoner than prosecutor. Outside the court a pretty little woman stood, pale and anxious. A respectful crowd stared at her silently. "Who is that?" Charles asked. "That's the prisoner's wife," the inspector on duty replied. "She's waiting to see him enter. I'm sorry for her, poor thing. She's a perfect lady."

"So she seems," Charles answered, scarcely daring to face her. At that moment she turned. Her eyes fell upon his. Charles paused for a second and looked faltering. There was in those eyes just the faintest gleam of pleading recognition, but not a trace of the old saucy, defiant vivacity. Charles framed his lips to words, but without uttering a sound. Unless a great mistake, the words he framed on his lips were these: "I will do my best for him."

We pushed our way in, assisted by the police. Inside the court we saw a lady seated in a quiet black dress, with a becoming bonnet. A moment passed before I knew it was Cesarine. "Who is that person?" Charles asked once more of the nearest inspector, desiring to see in what way he would describe her. And once more the answer came, "That's the prisoner's wife, sir."

Charles stared back, surprised. "But—I was told—a lady outside was Mrs. Paul Finglenore," he broke in, much puzzled. "Very likely," the inspector replied, unmoved. "She has plenty that way. When a gentleman has as many aliases as Colonel Clay, you can hardly expect him to be over particular about having only one wife between them, can you?"

"Ah, I see," Charles muttered in a shocked voice. "Bigamy!" The inspector looked stony. "Well, not exactly that," he replied, "occasional marriage." Mr. Justice Rhamanth tried the case. "I'm sorry it's him, Sey," my brother-in-law whispered in my ear. (He said him, not he, because, whatever else Charles is, he is not a ped-

ant; the English language is quite good enough for his purpose.) "I only wish it had been Sir Edward Esay. Esay's a man of the world and a man of society; he would feel for a person in my position. He wouldn't allow these beasts of lawyers to badger and pester me. He would back his order. But Rhamanth is one of your modern sort of judges, who make a merit of being what they call 'conscientious' and won't hush up anything. I admit I'm afraid of him. I shall be glad when it's over."

"Oh, you'll pull through all right," I said in my capacity as secretary. But I didn't think it.

The judge took his seat. The prisoner was brought in. Every eye seemed bent upon him. He was neatly and plainly dressed, and, rogue though he was, I must honestly confess he looked at least a gentleman. His manner was defiant, not abject like Charles'. He knew he was at bay, and he turned like a man to face his accusers.

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"I am a barrister myself, my lord," he said, "and I called some years ago. I can conduct my own defense. I venture to think, better than any of these my learned brethren."

Charles went through his examination-in-chief quite swimmingly. He answered with promptitude. He identified the prisoner without the slightest hesitation as the man who had swindled him under the various disguises of the Rev. Richard Papias, Hon. David Granton, Count von Lebenstein, Professor Schleiermacher, Dr. Quackenboss, and others. He had not the slightest doubt of the man's identity. He could swear to him anywhere.

I thought, for my part, he was a trifle too cocksure. A certain amount of hesitation would have been better policy. As to the various swindles, he detailed them in full, his evidence to be supplemented by that of bank officials and other subordinates. In short, he left Finglenore not a single leg to stand upon.

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"Look at that gentleman!" the prisoner said, waving one hand, and pointing upon the prosecutor.

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Of course I saw the trick. This was the real parson upon whose oath the Colonel Clay had modeled his little curate. But the jury was shaken. And so was Charles for a moment.

"Let the jurors see the photograph," the judge said, authoritatively.

It was passed round the jury box, and the judge also examined it. We could see at once, by their faces and attitudes, they all recognized it as the portrait of the clergyman before them—not of the prisoner in the dock, who stood there smiling blandly at Charles' discomfiture.

The clergyman sat down. At the same moment the prisoner produced a second photograph.

"Now, can you tell me who that is?" he asked Charles, in the regular brow-beating Old Bailey voice.

With some hesitation, Charles answered, after a pause: "That is yourself as you appeared in London when you came in the disguise of the Graf von Lebenstein."

This was a cruel blow for the Lebenstein fraud was the one count on which our lawyers relied to prove their case most fully, within the jurisdiction.

Even while Charles spoke, a gentleman whom I had noticed before, sitting beside "White Heather," with a handkerchief to his face, rose as abruptly as the parson. Colonel Clay indicated with a graceful movement of the hand.

"And this gentleman?" he asked calmly.

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Then Colonel Clay, leaning forward, and looking quite engaging, began a new line of cross-examination.

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"I object to this line of cross-examination," our leading counsel interposed. "It does not bear on the prosecutor's evidence. It is merely immaterial."

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"Look at that gentleman!" the prisoner said, waving one hand, and pointing upon the prosecutor.

Charles turned and looked at the parson indicated. His face grew whiter. It was—to all outer appearance—the Rev. Richard Brabazon in propria persona.

Of course I saw the trick. This was the real parson upon whose oath the Colonel Clay had modeled his little curate. But the jury was shaken. And so was Charles for a moment.

"Let the jurors see the photograph," the judge said, authoritatively.

It was passed round the jury box, and the judge also examined it. We could see at once, by their faces and attitudes, they all recognized it as the portrait of the clergyman before them—not of the prisoner in the dock, who stood there smiling blandly at Charles' discomfiture.

The clergyman sat down. At the same moment the prisoner produced a second photograph.

"Now, can you tell me who that is